

From: Stewart J. Stremmer
To: Microsoft ATR
Date: 1/23/02 5:51pm
Subject: Microsoft Settlement

Of the innumerable complaints possible with the Microsoft settlement, only a couple will be made here, with the understanding that this is not the sole complaint this writer has with the proposed settlement.

In part III, section J ("No provision of this Final Judgment shall:"), both points seem to be an obvious evisceration of the suitability of the proposal. It effectively asserts that Microsoft's policy of not disclosing essential information to potential competitors if it doesn't want to.

The one caveat, where they apparently CAN (by my interpretation) be forced to reveal details of their APIs "if lawfully directed not[1] to do so by a governmental agency of competent jurisdiction" would apparently give them sufficient ammunition to protest long enough to /change/ the API or details to be revealed.

Further, in 2(b), it says "meets reasonable, objective standards established by Microsoft" -- certainly, any such standards will, by the fact that they are being established by Microsoft, NOT be "objective", but necessarily "subjective". It is not in the best interests of Microsoft to be objective.

[1] This is the second negation of a double-negative, the first being the heading of section J, that begins "No provision". However, this is a long ways, textually, between the negatives, which does not aid clarity.

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stremmer@spawar.navy.mil Amusing Quote: "Ack!" --Bill the Cat